IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

DEC 3 1 2007

JOHN F. CORCORAN, CLERK BY:

KEVIN D. GRAHAM, Plaintiff,)	Civil Action No. 7:07ev00381
v.)	FINAL ORDER
GERALD K. WASHINGTON, <u>et al.</u> , Defendants.)))	By: Samuel G. Wilson United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that this action shall be and hereby is **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915A(b)(1), Graham's motion for counsel and his motion to proceed in forma pauperis are hereby **DENIED** as **MOOT**, and this case shall be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a copy of this Order and accompanying Memorandum Opinion to plaintiff.

ENTER: This 314 day of December, 2007.

United States District Judge